

REMARKS

Applicant graciously appreciates the Office's attention to the instant application. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. This amendment is

5 believed to be fully responsive to all issues raised in the July 20, 2004 Office Action.

As explained above, claims 1, 8, 9, 18 and 19 are currently amended; original claims 8, 9 and 19 (including prior dependencies) have been represented as new claims 20, 21 and 22, respectively; and, new claims 23-25

10 have been added (pertaining to the subject matter of original claims 5-7), respectively). Claims 1-25 are thus currently pending.

In this Response, Applicant does not acquiesce to the rejection and reserves the right to continue prosecution of claims in a divisional or continuation application of the instant application.

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In the Drawings

Applicant has amended Figs. 12 and 13 per suggestions by the Office. Applicant notes that a label for "slot 170" did appear in Fig. 13 for the means in an "unactuated" position (upper portion of figure). To clarify, Applicant has

20 added a label for the means in an "actuated" position (lower portion of figure).

In the Specification

Applicant has amended the specification per suggestions by the Office. However, Applicant notes that the particular line numbers may be slightly displaced. Full paragraphs are presented for reference and clarity.

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In the Claims

Claim Rejections Under 35 USC §102(b)

*Claims 1, 2, 4 and 18*

In the Office Action dated July 20, 2004, the Office rejected claims 1, 2, 4  
10 and 18 under 35 USC §102(b) as being anticipated by US Pat. No. 6,378,307 to Fledersbacher et al. ("Fledersbacher reference").

Applicant currently amends independent claims 1 and 18 to recite, in part, restricting a passage for air flow wherein the passage is positioned between a compressor impeller and a volute.

15       Applicant submits that the Fledersbacher reference does not disclose or teach such restricting or means for restricting a passage positioned between a compressor impeller and a volute.

Applicant thus submits that claim 1 as well as dependent claims 2 and 4 are patentable.

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Claim Rejections Under 35 USC §103(a)

*Claim 3*

In the Office Action dated July 20, 2004, the Office rejected claim 3 under 35 USC §103(a) as being obvious over US Pat. No. 6,378,307 to Fledersbacher et al. ("Fledersbacher reference") in view of US Pat. No. 3,208,213 to Anderson ("Anderson reference").

5 Claim 3 depends on claim 1. Applicant submits that claim 3 is patentable for at least the same reasons as claim 1.

*Claims 5-7*

In the Office Action dated July 20, 2004, the Office rejected claims 5-7  
10 under 35 USC §103(a) as being obvious over US Pat. No. 6,378,307 to Fledersbacher et al. ("Fledersbacher reference") in view of US Pat. No. 1,213,889 to Lawaczeck ("Lawaczeck reference").

Claims 5-7 depend on claim 1. Applicant submits that claims 5-7 are patentable for at least the same reasons as claim 1.

15 Further, Applicant currently amends and represents original claims 5-7 as new claims 23-25. Claims 23 recites, in part:

means for controlling the flow of air within the compressor housing  
wherein the compressor housing comprises a single common air  
inlet that is in air flow communication with respective compressor  
20 impellers whereby air entering the air inlet is bifurcated and directed  
by the compressor housing to one compressor impeller from a first

direction and to the other compressor impeller from a second substantially opposing direction.

Applicant submits that the Lawaczeck reference does not teach or suggest such an arrangement whereby air entering an air inlet is bifurcated by a 5 compressor housing. For at least this reason, Applicant believes claim 23, and by dependency claims 24 and 25, to be patentable.

Objected To Subject Matter: Claims 8, 9 and 19

In the Office Action dated July 20, 2004, the Office indicated that claims 10 8, 9 and 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As already mentioned, claims 8, 9 and 19 are now represented as new claims 20, 21 and 22, respectively.

15 Allowed Subject Matter: Claims 10-17

Applicant sincerely appreciates the Office's attention to and allowance of claims 10-17.

Conclusion

20 Claims 1-25 are pending and believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance

of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

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Respectfully Submitted,

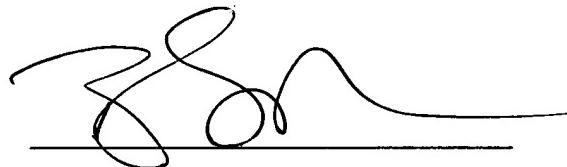
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AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings includes changes to Fig. 12 and to Fig. 13. These sheets replace the original sheets for Fig. 12 and for Fig. 13, respectively. In Fig. 12, previously omitted element "one or more springs 156" has been added. In Fig. 13 the element "a slot 170" appeared in the upper portion of figure for the "unactuated position" but did not appear in the "actuated position" in the lower portion of the figure. Thus, a label to the slot 170 has been added to the lower portion of the figure.

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Attachments:      Replacement Sheets  
                        Annotated Sheets Showing Changes



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ANNOTATED SHEET

